GOVERNMENT OF INDIA
AYURVEDA,YOGA & NATUROPATHY,UNANI,SIDDHA AND HOMEOPATHY (AYUSH)
LOK SABHA

UNSTARRED QUESTION NO:3915
ANSWERED ON:09.12.2016
Patent of Ayurveda
Chautala Shri Dushyant

Will the Minister of AYURVEDA,YOGA & NATUROPATHY,UNANI,SIDDHA AND HOMEOPATHY (AYUSH) be pleased to state:

Will the Minister of AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY (AYUSH) be pleased to state:

(a) whether there are over 4000 formulations of ayurveda but the patent office has issued only 200 patents so far;

(b) if so, the details thereof and the reasons therefor;

(c) whether the Government has initiated any plan of action to register all ayurvedic formulations of the country and protect them; and

(d) if so, the details thereof and follow up actions taken by the Government in this regard?

Answer

ANSWER
THE MINISTER OF STATE (IC) OF THE MINISTRY OF AYURVEDA,
YOGA & NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY
(SHRI SHRIPAD YESSO NAIK)
(a) & (b): As per the information provided by Department of Industrial Policy & Promotion (DIPP), 204 Patents have since been granted on formulations/ processes/ products of herbs / plants. DIPP has further stated that Patents are issued on inventions that satisfy the patentability criteria as laid out in the Patents Act, 1970. As per the Patents Act 1970 (as amended), patents can be imparted only to new formulations based on products related to herbs/ plants or processes related thereto, which are not in public domain and fulfill the criteria of patentability.
(c) & (d): No. The Drugs and Cosmetics Act 1940 and Rules 1945, does not have any provision for registration of Ayurvedic formulations. To protect Traditional Medicinal Knowledge of India, the Ministry of AYUSH has created Traditional Knowledge Digital Library (TKDL) in collaboration with Council for Scientific & Industrial Research (CSIR) for digitalization of traditional medicinal knowledge. More than 3 lakh formulations from the texts of Ayurveda, Unani and Siddha Systems have been digitalized till date under TKDL to protect Traditional Knowledge from misappropriation by providing defensive protection.
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